

**REMARKS**

Claims 1-58 are pending, with claims 1, 30, and 58 being independent. The independent claims have been amended. Support for the amendments is found at, for example, page 12, lines 5-12 and page 15, lines 25-30. No new matter has been introduced.

**Interview**

Applicant wishes to thank Examiner Bruckart for the courtesy of an interview conducted on September 2<sup>nd</sup> 2009. This reply reflects the substance of the interview.

**Rejection based on 35 U.S.C. 102(e)**

Claims 1, 3, 6-15, 17-21, 23, 25-29, 32, 34-43, 45-49, 51, 53-57 and 58 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Publication 2002/0023010 to Rittmaster et al. ("Rittmaster"). Applicant respectfully requests reconsideration and withdrawal of this rejection because Rittmaster fails to describe or suggest all of the features of amended independent claims 1, 30, and 58, as discussed below.

For example, amended independent claim 1 recites, among other things, setting, based on determining that the permissible location for content selection has not been specified and, using the jukebox, the permissible location for the content selection as the jukebox location, wherein the jukebox location is a location of a device being used to render the content selection.

Applicant submits that Rittmaster fails to describe or suggest at least these features.

In addressing these limitations, the Office Action cites to paragraphs 0036-0039. These paragraphs have been reproduced below for convenience.

[0036] An example recipient-location based system is shown in FIG. 2. In the FIG. 2 example, each recipient processor 14-16 operates with an associated means 20-22 for providing a position signal. Various embodiments of the invention may employ any suitable means which provides a computer readable signal corresponding to the position, or geographic location or region, of the recipient processors, including, but not limited to, devices for generating prerecorded geographic information, or user-operated input devices operated by a user to input information corresponding to a geographic location or region (for example, a keyboard, touchscreen, microphone, display icons that are selected by positioning a mouse cursor and clicking the mouse, or the like). However, in preferred embodiments, the geographic location information is generated by a means which calculates the location from information received at the location from satellite signals, such as a global positioning system GPS.

[0037] For example, GPS circuitry may be included as part of the circuitry of the recipient processor system or included in a circuit card that may be installed in a recipient processor system.

Alternatively, GPS circuitry may be included in a module connectable to the recipient processor system from a location external to the housing containing the recipient processor.

[0038] In a preferred embodiment, the GPS is implemented with circuitry contained in a portable device that can be easily connected and disconnected by a user to a recipient processor or to a reading device associated with recipient processor. For example, the GPS circuitry may be contained in a plug-in connector such as a dongle, an electronically readable card, an electronically readable token or the like. In such embodiments, the recipient processor includes a suitable receptacle, such as a serial or parallel port for connecting to a plug-in module or a card or token reader for receiving electronic information from a card or token. In another example, the GPS circuitry is contained in a portion of a disc or similar structure shaped to be inserted in a standard disc reading device, such as a floppy disc drive, compact disc drive, optical disc drive, magneto-optical disc drive or the like, wherein other portions of the disc structure define computer readable media containing programs and/or data for controlling the recipient processor to carry out functions described herein.

[0039] Geographic location information obtained from the GPS, or from other means for providing a position signal, is used to determine whether or not the processor requesting the information is within a restricted (or limited) or nonrestricted region. This determination may be made by any suitable procedure, including, but not limited to, comparing the geographic information provided by the recipient processor and positioning system with a list of non-restricted or non-limited (or restricted) geographic locations or regions. Thus, according to some embodiments, information may be provided or not provided (that is, access to the information may be allowed or denied) dependent on the geographic information provided by the recipient processor, such that, if a recipient processor provides geographic information corresponding to a restricted geographic location or region, then the provider processor will be controlled to not provide selective information to the recipient processor. On the other hand, if a recipient processor provides geographic information corresponding to a non-restricted geographic location or region, then the provider processor is controlled to provide the selective information to the recipient computer.

As is demonstrated above, Rittmaster describes the interrogation of a host to acquire permission to access restricted region content. See also Fig. 3. More precisely, Rittmaster describes a remote system (e.g., a remote web client) that can interface with a locally-attached GPS system. The GPS system provide GPS coordinates to the remote system, which in turn provides the GPS coordinates to the host. The host then selectively grants access based on the received GPS coordinates. See [0042]. However, Rittmaster is predicated upon content being previously specified for a particular region.

As such, in requiring content to be written for a previously-specified location rather than permitting the permissible location to be specified by the jukebox, Rittmaster system necessarily fails to disclose setting, based on determining that the permissible location for content selection has not been specified and, using the jukebox, the permissible location for the content selection as the jukebox location, wherein the jukebox location is a location of a device being used to render the content selection, as required by amended independent claim 1. Accordingly,

applicant respectfully requests reconsideration and withdrawal of the rejection of independent claim 1 and its dependent claims.

Independent claims 30 and 58, although different in scope from claim 1 and each other, recite features similar to those in claim 1 discussed above. Accordingly, for at least the reasons discussed above with respect to claim 1, applicant requests reconsideration and withdrawal of the rejection of claims 30 and 58 and their dependent claims.

**Rejections Under 35 U.S.C. § 103**

Claims 2, 4-5, 16, 22, 24, 31, 33, 44, 50, and 52 were rejected as being unpatentable over Rittmaster in view of Unger (U.S. Publication No. 2002/0023010), Nathan (U.S. Publication No. 2005/0060405), Woods (U.S. Publication No. 2002/0087692), Ortega (U.S. Publication No. 2006/0031558), and Kajino (U.S. Publication No. 2003/0225863). Applicants respectfully request reconsideration and withdrawal of the § 103 rejections of claims 2, 4-5, 16, 22, 24, 31, 33, 44, 50, and 52 because Rittmaster fails to describe or suggest the features of the independent claims and neither Unger, Nathan, Woods, Ortega nor Kajino remedies the deficiencies of Rittmaster discussed above. Nor does the Office Action contend that Unger, Nathan, Woods, Ortega nor Kajino does so.

The Request for Continued Examination Fee of \$810 is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. No other fees are believed due. Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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Date: \_\_\_\_\_



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